

15. DEVELOPMENT DISTRICTS

15.01. Development District Administration. The administration and operation of development districts created under authority of Minnesota Statutes, chapter 472A, is assigned to the office of city administrator and to an assistant city administrator to be known as the "development district administrator".

15.02. Administrator's Duties and Responsibilities. The development district administrator shall perform the following duties and responsibilities:

- (1) Review and evaluate development district proposals, contracts, and management reports;
- (2) Act as staff advisor to the city administrator, mayor, council, and development district advisory board;
- (3) Participate in the negotiation to buy or sell commercial and residential properties, to rent or lease improved properties, and to relocate residences and businesses displaced by district development;
- (4) Supervise the preparation of a general plan for district development;
- (5) Supervise the preparation of alternative developments schemes for the rebuilding of sites and for rehabilitation;
- (6) Operate, maintain, and regulate such public facilities constructed in development districts as the council may designate;
- (7) Prepare periodic status reports on activities and projects, including projects proposed and under contract;
- (8) Prepare and submit an annual maintenance and operating budget for the administrator's office and development districts;
- (9) Seek new investments and proposals in the development districts by identifying and promoting opportunities to expand current facilities or establish new facilities;
- (10) Prepare and disseminate information to the public regarding development district projects and activities;
- (11) Assist the city attorney in the preparation of contracts regarding development district matters; and
- (12) Perform related work as required.

15.03. Downtown Development District Advisory Board. Subdivision 1. Creation. By resolution 178-78 the council on March 13, 1978, created Development District No. 2. Pursuant to Minnesota Statutes 1976, section 472A.11, there is hereby created an advisory board for Development District No. 2 to be known as "downtown development district advisory board". The board shall consist of 11 members to be appointed by the mayor and confirmed by the council. At least six members shall be owners or occupants of real property located in or adjacent to Development District No. 2. Each of the following agencies shall recommend from among its membership one member for appointment to the board by the mayor: Planning and Zoning Commission, Housing and Redevelopment Authority, Board of Education of School District No. 535, and Board of Commissioners of Olmsted County. The council shall select from among its members two aldermen to attend board meetings and participate in its proceedings but without the right to vote.

Subd. 2. Term. Each member shall be appointed for a term of three years, except that members shall be initially appointed for

staggered terms so that the terms of no more than four members will expire in any one year. Terms shall expire on December 31, except that members shall serve until their successor is appointed and qualified. Vacancies shall be filled for the unexpired term in the same manner as the person whose vacancy is to be filled was appointed.

Subd. 3. Removal. A member may be removed by the mayor with the consent of the council whenever it is determined to be in the best interest of the city to do so. A member shall be removed when absent from more than half of the board meetings held in any six-month period, when the person's membership on an agency from which the member was appointed is terminated, or when a member ceases ownership or occupancy of real property located in or adjacent to Development District No. 2 and such ownership or occupancy was a qualification of such person's appointment to the board.

Subd. 4. Organization. The board shall hold an annual meeting in January of each year at a time to be designated by the board and such other meetings as may be provided for by rule. At each annual meeting the board shall elect from its membership a chairman and a vice chairman and such other officers as deemed appropriate to serve until their successors are elected at the next annual meeting. The board by rule shall provide for filling such offices when vacancies occur and may adopt such other rules as it deems appropriate to govern its procedure and meetings. Each member shall be a voting member, including members who serve as officers of the board. The secretary for the board shall be provided by the development district administrator's office. A majority of all voting members shall constitute a quorum and the board shall act by approval of a majority of the members present.

15.04. Board Functions. The downtown development district advisory board shall perform the following functions:

- (1) Periodically review the development program and tax increment finance plan for Development District No. 2 and recommend to the mayor, council, and the development district administrator any changes the board considers appropriate or desirable;
- (2) Initiate and recommend to the mayor, council, and development district administrator any action which the board considers appropriate to advance or accomplish the objectives of the development program;
- (3) Review and evaluate all development proposals and the reports of the development district administrator and other city departments and recommend appropriate action thereon to the mayor, council, and the development district administrator;
- (4) Advise the mayor, council, and the development district administrator on planning, construction and implementation of the development program, and maintenance and operation of the development district after public capital improvements are made;
- (5) Review and make recommendations on the annual budget for the development district office and Development District No. 2;
- (6) Meet with the mayor, council, development district administrator, and other departments of the city, developers, and members of the public who desire to consult with or present matters to the board;
- (7) Assist in the dissemination of information to the public about development district activities.

15.05. Planning and Zoning Commission and Staff. The planning staff of the planning and zoning commission shall, when requested, provide the development district administrator and the downtown development district advisory board with general planning and staff assistance. All proposals for development in Development District No. 2 shall be referred to the planning and zoning commission for its

recommendations.

15.06. Council as Final Authority. Pursuant to Minnesota Statutes 1976, section 472A.11, any conflict between the planning and zoning commission and the downtown development district advisory board regarding the development program for Development District No. 2 in its initial and subsequent stages shall be resolved by the council after taking into consideration the respective recommendations.

15.07. Commercial Building Rehabilitation Loan Program.
Subdivision 1. The Common Council of the City of Rochester finds that commercial buildings in Downtown Development District No. 2 in the City of Rochester are physically deteriorating, underused, economically inefficient or functionally obsolete, and in need of rehabilitation to meet applicable building codes; and further that there is a need for a comprehensive program for the rehabilitation of the buildings to prevent economic and physical blight and deterioration, to increase the municipal tax base, and to assist the adopted Development Program for Downtown Development District No. 2 in the implementation of the development plan; and further that some owners of small and medium size commercial buildings in the Downtown Development District No. 2 are unable to afford rehabilitation loans on terms available in the private mortgage market or to obtain rehabilitation loans on any terms because the private mortgage market is severely restricted; and further that the health, safety and general welfare and the preservation of the quality of life of the residents of the city of Rochester are dependent upon the preservation and rehabilitation of the small and medium size commercial buildings in the Downtown Development District No. 2. In order to accomplish the purposes set forth in this chapter there is hereby established a commercial building loan program to rehabilitate and preserve small and medium size commercial buildings located within the boundaries of the Downtown Development District No. 2.

Subd. 2. Administration. The program shall be administered in accordance with the program regulations adopted by resolution of the common council. The administration of the program created under the authority of Minnesota Statutes Section 459.31 is assigned to the office of the city administrator.

(2005, 12/18/78; 2013, 1/15/79; 2313, 7/6/83)